

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503

(916) 657-1875

RECEIVED
APR 5 1993
MMWD

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 004746

MARIN MUNICIPAL WATER DISTRICT
220 NELLEN AVENUE
CORTE MADERA, CA 94925

TELEPHONE NUMBER:
(415) 924-4600

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: LAKE LAGUNITAS

TRIBUTARY TO: LAGUNITAS CREEK

COUNTY: MARIN

DIVERSION

WITHIN: NW1/4 OF SW1/4 SECTION 12, T01N, R07W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1993. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons
☒ Acre-feet
☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1990	X	X	X	X	X	X	X	X	X	X	X	X	---
1991	X	X	X	X	X	X	X	X	X	X	X	X	---
1992	X	X	X	X	X	X	X	X	X	X	X	X	---

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering _____

Domestic Domestic use for residence and small park

Other (specify) Municipal use for small federal installation

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: April 19, 19 93 at Corte Madera, California

Signature: Ronald J. Johnson

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"



MARIN MUNICIPAL WATER DISTRICT

220 Nellen Avenue
Corte Madera, CA 94925-1169
415.924.4600
FAX 415.927.4953

June 21, 1993
File 522.2.5

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, California 95814

RE: Supplemental Statement of Water Diversion and Use - No.4746

This concerns the Statements of Water Diversion and Use filed by the Marin Municipal Water District (MMWD). MMWD was formed in 1912 and was the first municipal water district formed under the Municipal Water District Act of 1911. Soon after its formation, the District began purchasing the assets, including the water rights, of the various private water companies that had been providing water to Marin County since the 1860s. Since the then existing water development in the county was insufficient to meet water demand, the District also developed a long-term, phased plan to utilize the water resources of Lagunitas Creek to meet the future water needs of the District. This plan, adopted by the District in 1913, was implemented by the District over the following 40 years.

Early MMWD operations depended on water rights acquired from the District's predecessor water agencies. These rights included diversions at: Lake Lagunitas, dating from 1878; Phoenix Lake, from 1906; and, from a series of springs on Mount Tamalpais, dating from 1894. When the District started, in 1914, to develop its supplemental water supply system on Lagunitas Creek it relied on a water right held by a predecessor with a priority date of 1906. However, when, in 1940, the District began the third stage of its Lagunitas Creek water supply system, it elected to obtain appropriative water rights for the same water covered by its 1906 water right. As other phases of the District's project were constructed, the District obtained additional appropriative water rights, even though water use by these additional phases was still within the limits of the original 1906 water right. These appropriative rights filings were intended to clarify and supplement the District's water rights on Lagunitas Creek, not to replace the District's pre-1914 rights.

However, in the 1960s, when Supplemental Statements of Water Diversion and Use for pre-1914 uses were first provided for, the District did not file Statements for its 1906 Lagunitas Creek rights. Since the District held appropriative rights for the same water, it believed that filing the Statements would be confusing and chose, instead, to report its water diversion and use via permittee progress reports. Consequently, the District has, over the years, filed Statements of Water Diversion and Use only for Lake Lagunitas, Phoenix Lake and the Mount Tamalpais spring system, diversions for which the District has not sought appropriative permits.

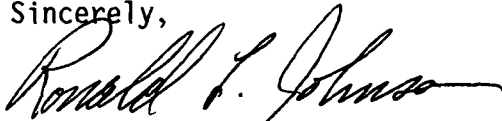
In retrospect, this decision probably caused more confusion than it resolved. Therefore, the District is now filing Statements of Water Diversion and Use for its three lower Lagunitas Creek reservoirs, Bon Tempe Lake (State Dam No. 33-006), Alpine Lake (State Dam No. 33-000) and Kent Lake (State Dam No. 33-007), for the period 1965 through 1992. In the future, the District will file tri-annual Statements for these projects at the same time it files its tri-annual Statements for Lake Lagunitas and Phoenix Lake.

Accordingly, attached are the tri-annual Supplemental Statements of Water Diversion and Use for Lake Lagunitas and Phoenix Lake and the Statements of Water Diversion and Use for the years 1966-92 for Bon Tempe Lake, Alpine Lake and Kent Lake. These Statements include some water use also reported on the annual Progress Reports for Appropriative Water Rights Permits Nos. 5633, 9390 and 18546. The District will, from now on, file both Progress Reports For Permittee and Statements of Water Diversion and Use for these facilities. The District will note on its Progress Reports that the reported usage is duplicative, not additive, of the amounts reported on the District's Statements of Water Diversion and Use for these facilities.

Lastly, when District staff were preparing the attached statements, a Statement of Water Diversion and Use, S-10139, dated October 21, 1980, was discovered in the District files. The Statement appears to be for the District's Kent Lake project but the figures presented do not correspond exactly to District records. The attached Statements of Water Diversion and Use supersede the data contained in S-10139. To avoid confusion, your office may wish to assign Statement numbers other than S-10139 to the attached statements.

If you have any questions or need more information on this subject, please call Mr. Dana Roxon at (415) 924-4600, extension 290.

Sincerely,



Ronald L. Johnson, P.E.
General Manager

RLJ/DR:bg

Attachments

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5676
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 004747

S W & N S HAWLEY
790 LOS ALTOS AVENUE
LOS ALTOS, CA 94022

TELEPHONE NUMBER:
(415) 941-0692

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: ALBION RIVER

TRIBUTARY TO: PACIFIC OCEAN

COUNTY: MENDOCINO

DIVERSION

WITHIN: SE1/4 OF SE1/4 SECTION 12, T16N, R16W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1989. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1986													
1987													
1988													

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering _____

Domestic _____

Other (specify) _____

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: _____, 19____, at _____, California

Signature: _____

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STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

S4747

This statement should be typewritten or legibly written in ink.

OK to file
12

- A. Name of person diverting water. HEWITT H. CLARK
Address P. O. BOX 101
COMPTCHE, CA 95427
- B. Name of body of water at point of diversion Albion River 1-502-00-00-0
Tributary to _____
- C. Place of diversion SE 1/4 SE 1/4 Section 12, Township 16, Range 16W, B&M,
Mendocino County, or locate it on sketch of section grid on reverse side with regard to section lines or
prominent local landmarks.
- D. Name of works Homelite Gasoline Engine driven pump, 90 GPM
and Jacuzzi Model 5R 1/2 HP shallow well pump, 35 GPM
- E. Capacity of diversion works _____
Capacity of storage reservoir Well averages 600 gal. available
State quantity of water used each month in gallons on record
- _____ cubic feet per second
_____ gallons per minute
_____ gallons
_____ acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
	2M	2M	2M	2M	3M	3M	3M	3M	3M	2M	2M	2M	29M*

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as
acres of each crop irrigated, average number of persons served, number of stock watered, etc. I have used no
water from the stream but plan to irrigate 1/2 acre
with the Homelite Pump 2 times per mo. May - Oct.
Maximum annual water use in recent years just to keep down the fire
Minimum annual water use in recent years hazard

Type of diversion facility: gravity _____, pump ✓ and a Rainbird sprinklers
bi-weekly for 2 hours each time
Method of measurement: weir _____, flume _____, electric power meter _____, water meter _____, estimate ✓

- F. Purpose of use (what water is being used for) Irrigation from stream
Damastic from well. Well is 60 ft from edge of
stream
- G. General description or location of place of use (use sketch of section grid on reverse side if you desire) _____

- H. Year of first use as nearly as known 1968
- I. Name of person filing statement Hewitt H. Clark
Retired Organization _____
Address _____

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed _____ Signature no date. pay 23183

* - So far I have used water only for household and I am alone except
See Instructions on Reverse Side for guests during summer months